

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 6901 Ardmore Ave., Fort Wayne, Indiana 46804 (Poly Hi Solidur Division).

WHEREAS, Common Council has previously designated and declared by Confirming Resolution No. R-27-94 the following described property as an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana of 1993, as amended and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein; and

WHEREAS, Poly Hi Solidur submitted an application on March 22, 1994 to have such above described property designated by the City of Fort Wayne Common Council as an "Economic Revitalization Area"; and

WHEREAS, the Common Council did pass Resolution No. R-27-94 on May 11, 1994 with the intent of allowing Poly Hi Solidur to file a claim with the Allen County Auditor to receive an abatement on certain personal property taxes that may be assessed as a result of locating new manufacturing equipment at its facility located at 6901 Ardmore Ave., Fort Wayne, Indiana; and

WHEREAS, said manufacturing equipment was installed prior to the passage of Resolution No. R-27-94, but after the application for designation was submitted; and

WHEREAS, the Indiana State Board of Tax Commissioners reviewed the claim deduction and denied such claim due to the fact that it was installed prior to the area being declared and "Economic Revitalization Area".

WHEREAS, Poly Hi Solidur stated in both its "Economic Revitalization Area Application" and "Statement of Benefits" form

that the estimated starting date would be March 1994; and

1           **WHEREAS**, the 109th Session of the Indiana General Assembly  
2 did enact Senate Enrolled Act No. 313 amending I.C. 6-1.1-12.1-  
3 1(b) effective July 1, 1995; and


4           **WHEREAS**, I.C. 6-1.1-12.1-1(b) allows a designating body's  
5 actions taken after February 1, 1991 and before July 1, 1995, in  
6 (1) designating an economic revitalization area; or (2) approving  
7 a statement of benefits or making required findings of fact after  
8 the initiation of the: (A) redevelopment; (B) installation of  
9 new manufacturing equipment; or © rehabilitation; for which the  
10 person desires to claim a deduction under I.C. 6-1.1-12-1 to be  
11 legal and valid.

12           **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE**  
13 **CITY OF FORT WAYNE, INDIANA:**

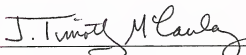
14           **SECTION 1.** That, the Resolution previously designating the  
15 above described property as an "Economic Revitalization Area" is  
16 again confirmed in all respects.

17           **SECTION 2.** That, it was the intent of the Common Council of  
18 the City of Fort Wayne to have the "Economic Revitalization Area"  
19 designation in place in time to allow Poly Hi Solidur to receive  
20 the deduction on personal property taxes for the claim filed in  
21 1995.

22           **SECTION 3.** That, this Resolution shall be in full force and  
23 effect from and after its passage and any and all necessary  
24 approval by the Mayor.

25  
26   
27 Member of Council

28  
29  
30 APPROVED AS TO FORM AND LEGALITY

31  
32   
J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Don J. Schneider, seconded by Don J. Schneider, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 10-24-95

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry, seconded by Henry, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>			<u>3</u>
BRADBURY				<u>✓</u>
EDMONDS				<u>✓</u>
ELIAQUINTA				<u>✓</u>
ENRY	<u>✓</u>			
ONG	<u>✓</u>			
UNSEY	<u>✓</u>			
AVINE	<u>✓</u>			
CHMIDT	<u>✓</u>			
ALARICO	<u>✓</u>			

DATED: 11-14-95

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 9-72-95. on the 14th day of November, 1995

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Don J. Schneider  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1995, at the hour of 11:30 o'clock AM, M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 16th day of November, 95, at the hour of 12:15 o'clock PM M., E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR

BILL NO. R-95-10-13

REPORT OF THE COMMITTEE ON  
FINANCE  
THOMAS C. HENRY - CHAIR  
MARK E. GIAQUINTA - VICE CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN ~~ORDINANCE~~ <sup>XXXXXXXXXXXXXX</sup> (RESOLUTION) designating an  
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly  
known as 6901 Ardmroe Ave., Fort Wayne, Indiana 46804 (POLY HI SOLIDUR  
DIVISION)  
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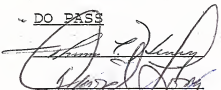

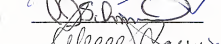
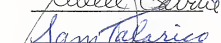


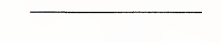
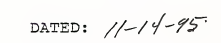


HAVE HAD SAID ~~ORDINANCE~~ (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
~~ORDINANCE~~ (RESOLUTION)  
\_\_\_\_\_

DO PASS

DO NOT PASS

ABSTAIN

NO REC

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DATED: 11-14-95

Sandra E. Kennedy  
City Clerk



## MEMORANDUM

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TO: Common Council Members

FROM: Beth Neu, Director, Department of Economic Development *BN*

DATE: October 23, 1995

SUBJECT: Resolution for Poly Hi Solidur, allowing tax abatement credit for 1994  
Address: 6901 Ardmore Ave.

*Q-95-10-13*

### Background

Poly Hi Solidur submitted an application for Economic Revitalization Area designation to the City of Fort Wayne on March 23, 1994. A confirming resolution so designating such property was passed by Common Council on May 5, 1994. However, the company installed the equipment at its Ardmore Avenue facility prior to the passage of the confirming resolution, but after submission of the application. The Indiana State Board of Tax Commissioners denied the credit when the company filed its application for deduction this year.

### Effect of Passage of Tax Abatement

Will allow the company to receive the tax abatement as originally intended by Common Council

### Effect of Non-Passage of Tax Abatement

Property tax savings will not be realized by the company.

### Staff Recommendation

Since the company proceeded in good faith, and lacking any formal policy of Common Council in such matters, staff recommends approval of the attached amended resolution.

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE Confirming Resolution

DEPARTMENT REQUESTING ORDINANCE Department of Economic Development

SYNOPSIS OF ORDINANCE Poly Hi Solidur requested an Economic Revitalization Area designation in 1994 to allow them to receive tax abatement on new manufacturing equipment they would be moving to its Ardmore Ave. location from another state. Originally, City Council approved the designation, but the State Board of Tax Commissioners denied the credit when the company filed this year because the installation occurred prior to the passage of the confirming resolution. However, citing Senate Enrolled Act 313 which was passed by the Indiana General Assembly this year, Common Council has the authority to grant the tax abatement, as originally requested.

EFFECT OF PASSAGE Will allow the company to receive the tax abatement as originally planned and comply with the demands of the Indiana State Board of Tax Commissioners.

EFFECT OF NON-PASSAGE State Board of Tax Commissioners will deny the request and the company will lose the tax savings.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) Company will realize tax savings of approximately \$69,500.

ASSIGNED TO COMMITTEE (PRESIDENT) Mark GiaQuinta